

**Notice of Allowability**

Application No.

09/945,334

Examiner

Kevin S Wood

Applicant(s)

BRUN ET AL

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Applicant's Amendment filed 28 July 2003.
2. ☒ The allowed claim(s) is/are 2-6 and 10-26.
3. ☒ The drawings filed on 08 April 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
- (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
- (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- 1 ☐ Notice of References Cited (PTO-892)
- 3 ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 5 ☒ Information Disclosure Statements (PTO-1449), Paper No. 0703
- 7 ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 2 ☐ Notice of Informal Patent Application (PTO-152)
- 4 ☒ Interview Summary (PTO-413), Paper No. 1003 + 0704
- 6 ☒ Examiner's Amendment/Comment
- 8 ☒ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other
- Ben Healy*

## **ALLOWANCE**

### ***Response to Amendment***

1. This action is responsive to the applicants' amendment filed on 28 July 2003. Claims 2, 4-6, 10-18 and 23-25 are now amended. Claims 1 and 7-9 are now canceled. New claim 26 is now added. Claims 2-6 and 10-26 are now pending in the application.

### ***Response to Arguments***

2. Applicant's arguments, filed 28 July 2003, with respect to s 2-6 and 10-26 have been fully considered and are persuasive. The rejections 4-6 and 14-25 of have been withdrawn.

### ***Allowable Subject Matter***

3. Claims 2-6 and 10-26 are allowed.
4. The following is an examiner's statement of reasons for allowance:

Referring to claims 2-6, the prior art does not disclose the combination of all the limitations of the claimed invention. Specifically, the prior art does not disclose method of positioning optical fibers in a ferrule, where a fiber alignment device comprising two wafers, each of the wafers comprising grooves which form at least one fiber capillary when the wafers are aligned and wherein the step of applying the alignment device comprises clamping the two wafers onto the fibers extending from the ferrule.

Referring to claim 10, the prior art does not disclose the combination of all the limitations of the claimed invention. Specifically, the prior art does not disclose method of manufacturing a fiber optic subassembly that includes applying heat to the adhesive to improve the flow of the adhesive.

Referring to claim 11, the prior art does not disclose the combination of all the limitations of the claimed invention. Specifically, the prior art does not disclose method of manufacturing a fiber optic subassembly that includes applying a small amount of a second adhesive to the fibers outside of the ferrule and curing the second adhesive to block the flow of the first liquid adhesive.

Referring to claims 12 and 13, the prior art does not disclose the combination of all the limitations of the claimed invention. Specifically, the prior art does not disclose method of manufacturing a fiber optic subassembly that includes applying a small amount of a second adhesive to the fibers outside of the ferrule and curing the second adhesive to block the flow of the first liquid adhesive.

Referring to claims 14-17, the prior art does not disclose the combination of all the limitations of the claimed invention. Specifically, the prior art does not disclose method of assembling a fiber ferrule subassembly comprising the step of providing a plurality of optical fibers screened for at least core concentricity.

Referring to claims 18-25, the prior art does not disclose the combination of all the limitations of the claimed invention. Specifically, the prior art does not disclose method of assembling a fiber ferrule subassembly wherein the at least one capillary is

selected from the group consisting of a dual-oval capillary, a four-circular capillary, and a capillary comprising an alignment washer.

Referring to claim 26, the prior art does not disclose the combination of all the limitations of the claimed invention. Specifically, the prior art does not disclose method of assembling a fiber ferrule subassembly comprising the step of providing a plurality of optical fibers screened for at least ovality.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin S Wood whose telephone number is (703) 605-5296. The examiner can normally be reached on Monday-Thursday (7am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B Bovernick can be reached on (703) 308-4819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 307-0956.

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